[Mr. P. S. Nataraja Pillai]

(*b*) the agency that was employed till November 1943 for the purchase of food grains in Central Provinces and Madras and the rate of remuneration paid for them?

MR. K. R. NARAYANA AIYAR: (*a*) The remuneration paid by Government to Messrs. Volkart Brothers on the purchases of food grains from areas other than Madras and Central Provinces is given below:—

Sind ... Inspection fee of one anna per bag.

Punjab Province and Bahawalpur.

		Per bag. Rs.	as.	p.
1. Inspection at source and at Karachi ($1\frac{1}{2}+1$)	...	0	2	6
2. Handling commission	...	0	1	0
Total	...	0	3	6

Baluchistan, Kashmir, Punjab States etc.

Overall charges at 1½ per cent. on the cost of goods at Karachi.

(*b*) Purchases were made by the respective Governments. This Government have not paid any remuneration to them.

Commandeering of Valloms.

16. *MR. K. A. MOHAMED: Will the Government be pleased to state:

(*a*) whether they have laid down any rules for the commandeering of valloms;

(*b*) whether there are shortages found in these valloms which are escorted by the Police; and

(*c*) whether it is a fact that when vallom owners apply for the release of their valloms for repairs they are asked to compensate for the shortage found in their valloms as a condition for release?

MR. K. R. NARAYANA AIYAR: (*a*) Certain principles are generally observed in the commandeering of valloms, *e. g.* valloms below 8 tons are not commandeered at all.

(*b*) Yes; at times.

(*c*) Owners of valloms as such are not asked to pay up the value of shortages.

MR. S. SANKARANARAYANAN TAMPI: May I know whether the principle of vicarious liability has been imported in the matter of the commandeering of valloms?

MR. K. R. NARAYANA AIYAR: Sir, the question is not clear.

MR. S. SANKARANARAYANAN TAMPI: The question is whether it is a fact that when vallom owners apply for the release of their valloms for repairs they are asked to compensate for the shortage found in their valloms as a condition for release and the answer is that there are shortages found in these valloms at times and that the owners of valloms as such are not asked to pay up the value of shortages. May I know under what circumstances, are the owners asked to compensate for the shortage?

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MR. K. R. NARAYANA AIYAR: So long as shortage occurs in a particular vallom, it carries a liability with it and Government are particular that that liability should be discharged before the vallom is released.

MR. K. A. MATHEW: May I know, why are the owners of valloms taken to task for failure of the boat men?

MR. K. R. NARAYANA AIYAR: Only when there is shortage in a particular vallom, the boatman in charge of that vallom is taken to task.

MR. S. SANKARANARAYANAN TAMPI: May I know whether prosecution against the owners of valloms has been started for not having paid up the value of shortages?

MR. K. R. NARAYANA AIYAR: No, Sir.

MR. K. A. MATHEW: May I know, is it not a fact that prosecution has been launched against a Changanacherry boat owner to the value of Rs. 2700 for shortage found in his vallom?

MR. K. R. NARAYANA AIYAR: The Government have no such information.

MR. S. SANKARANARAYANAN TAMPI: Am I to take it then that the principle of vicarious liability extends to the owners of valloms?

MR. K. R. NARAYANA AIYAR: Owners of valloms as such are not asked to pay for the shortages. But so long as the particular vallom carries with it a liability due to shortage, then the question of payment comes in.

MR. S. SANKARANARAYANAN TAMPI: May I know what the member means by liability?

MR. K. R. NARAYANA AIYAR: When there are shortages in a particular vallom, the boatman in charge of that vallom should pay the value of that shortage. He has therefore a liability to discharge.

MR. P. K. KUNJU (*Ambalapuzha* cum *Shertallai*): May I know how a boat owner can be made responsible for shortage?

MR. K. R. NARAYANA AIYAR: The boat owner as such is not made responsible for the shortage.

MR. P. K. KUNJU: But the owner may not know about that. In that case, how can you fix the liability on him?

MR. K. R. NARAYANA AIYAR: That is why it is stated that the owners as such are not asked to pay up the value of shortage.

MR. K. A. MAHOMED: Is it right on the part of the owners not to pay for shortages in so far as they have no knowledge of that?

MR. K. R. NARAYANA AIYAR: The responsibility of taking the goods in good condition rests with the boatmen.

MR. K. A. MATHEW: When the police is there to escort the valloms and if shortage is found, why not the Government proceed against the police for shortages? Why is the boat owner alone taken to task?

MR. K. R. NARAYANA AIYAR: It is not possible for one policeman to look after the food grains carried by the different valloms.

MR. K. A. MATHEW: May I know, who is to meet the shortages found in the valloms; is it the boatman or boat owner or the police or all combined?

MR. K. R. NARAYANA AIYAR: The boatman who pilfers the grains should be taken to task.

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